

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JAMES MUELLER, *on behalf of himself and all others*  
*similarly situated*, :

Plaintiff, :

-v- :

SIRIUS XM RADIO INC., :

Defendant. :

20-CV-9339 (JMF)

ORDER

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JESSE M. FURMAN, United States District Judge:

On January 15, 2021, Defendant moved to stay proceedings and compel compliance with alternative dispute resolution procedures. ECF No. 15. On January 25, 2021, Defendant filed a separate motion to stay proceedings pending the U.S. Supreme Court's decision in *Facebook, Inc. v. Duguid*, No. 19-511 (U.S. argued Dec. 8, 2020). ECF No. 19.

Unless and until the Court says otherwise, the deadlines to file opposition and reply papers for both motions under the Southern District's Local Rules remain in effect. In their future filings with respect to the motion to stay pending the Supreme Court's decision in *Facebook*, both parties should address whether the Court should defer consideration of *Facebook's* impact on this case until after it resolves the threshold question raised by Defendant's first motion to stay, namely whether this case is properly before this Court or whether it must proceed via an alternative dispute mechanism. Put differently, the parties should address whether *Facebook* has any bearing on Defendant's first motion.

SO ORDERED.

Dated: January 26, 2021  
New York, New York



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JESSE M. FURMAN  
United States District Judge